

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE TELESCOPES ANTITRUST
LITIGATION.

Case No. [20-cv-03642-EJD](#) (VKD)

**ORDER RE MARCH 21, 2023
DISCOVERY DISPUTE RE GROVES
DEPOSITION**

Re: Dkt. No. 364

Defendants and Direct Purchaser Plaintiffs (“DPPs”) ask the Court to resolve their dispute concerning defendants’ request to take the deposition of Christopher Groves, DPPs’ expert declarant. Dkt. No. 364. The Court finds this dispute suitable for resolution without oral argument. Civil. L.R. 7-1(b).

Mr. Groves has signed declarations in support of DPPs’ motion for sanctions (Dkt. No. 318) and in support of DPPs’ opposition (Dkt. No. 341) to defendants’ motion for terminating sanctions (Dkt. No. 322). Those motions are set for hearing on April 4 and 6, 2023, respectively. Defendants ask that DPPs produce Mr. Groves for a deposition concerning the opinions expressed in his declarations in advance of the hearings on these motions. Dkt. No. 364 at 2. DPPs object to producing Mr. Groves at this time, and have declined to provide a date for his deposition until after Judge Davila issues an order regarding the parties’ overarching disputes regarding depositions in this case. *Id.* at 5.

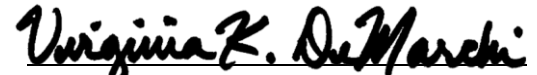
Having considered the parties’ submission, the Court orders as follows:

DPPs must make Mr. Groves available for deposition by defendants on or before March 31, 2023. DPPs shall advise defendants by **no later than noon on March 23, 2023** of three days

1 and times during which Mr. Groves is available for deposition. The deposition must not exceed
2 three hours on the record, and defendants' questioning shall be limited to the opinions and bases
3 therefor that Mr. Groves provides in his supporting declarations (Dkt. Nos. 318-1, 341-1, 345-1).
4 If DPPs elect to withdraw their motion for sanctions (Dkt. No. 318) in view of defendants'
5 administrative motion and status report on the matters addressed in that motion (*see* Dkt. No. 360),
6 then Mr. Groves's deposition shall be limited to the opinions and bases therefor provided in his
7 supporting declaration at Dkt. No. 341-1.

8 **IT IS SO ORDERED.**

9 Dated: March 22, 2023

10
11 
12 VIRGINIA K. DEMARCHI
13 United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28